

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA** )  
 )  
**v.** ) **Case No.: 2:08-cr-1-MEF**  
 )  
**CEDRIC B. GREGORY** )

**MOTION TO CONTINUE TRIAL**

**NOW COMES** the Defendant, **CEDRIC B. GREGORY**, by Undersigned Counsel, Donnie W. Bethel, pursuant to 18 U.S.C. 3161 §§ (h)(8)(A) and (h)(8)(B), and respectfully moves the Court for an Order continuing this matter from the April 7, 2008, trial term. In support of this Motion, the Defendant would show the following:

1. This case is currently scheduled for trial on April 7, 2008.
2. After repeated attempts to contact Mr. Gregory after his arraignment, Undersigned Counsel finally reached him. Subsequently, Undersigned Counsel had his one and only meeting with Mr. Gregory on March 21, 2008. On that occasion, both Mr. Gregory and his mother asserted that they had hired a private attorney from Dothan to represent Mr. Gregory. Undersigned Counsel explained to both Mr. Gregory and his mother that it was of the utmost importance for the private attorney to file his notice of appearance in this case and to contact Undersigned Counsel immediately. Neither of these events took place.
3. Undersigned Counsel has now made further repeated attempts to contact Mr. Gregory to discuss the resolution of his case, but without success. Therefore, Undersigned Counsel needs additional time to finally ascertain whether Mr. Gregory has

hired or still intends to hire a private attorney, or, if Mr. Gregory has not hired a private attorney, to ascertain how Mr. Gregory wishes to resolve this case.

4. The United States, through Assistant United States Attorney Jerusha Adams, does not oppose this Motion.

**WHEREFORE**, for the reasons set forth above, the Defendant moves this Court to issue an Order continuing the April 7, 2008, trial date.

Dated this 31<sup>st</sup> day of March, 2008.

Respectfully submitted,

s/ Donnie W. Bethel  
DONNIE W. BETHEL  
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**CERTIFICATE OF SERVICE**

I hereby certify that on March 31, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to Jerusha T. Adams, Assistant U. S. Attorney.

Respectfully submitted,

s/ Donnie W. Bethel  
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